

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CLAY LEE JONES, on behalf of himself and all  
others similarly situated,

Plaintiff,

-against-

PROMENADE GROUP, INC.,

Defendant.

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 6/6/2025

25-CV-01839 (MMG)

**ORDER**

MARGARET M. GARNETT, United States District Judge:

This action was initiated on March 5, 2025. *See* Dkt. No. 1. On March 6, 2025, the Court issued an order directing the parties to meet and confer on various matters within 30 days of service of the summons and complaint, and to submit a joint status letter 15 days after that, addressing a number of specified topics. *See* Dkt. No. 5. Based on the Certificate of Service filed by Plaintiff, Defendant was served on March 12, 2025. *See* Dkt. No. 6. Accordingly, the deadline for the parties to submit the joint letter was April 28, 2025. That deadline elapsed and the parties did not submit a joint letter.

On May 5, 2025, Plaintiff filed a letter on behalf of Defendant indicating that Defendant intends to respond to the Complaint and requesting a June 4, 2025 deadline for Defendant to file its response. *See* Dkt. No. 7. On May 9, 2025, the Court granted Plaintiff's request on behalf of Defendant. *See* Dkt. No. 8. The Court also informed Defendant that it could not proceed in this action without counsel. *Id.* Also on May 9, 2025, Plaintiff filed proof of service of the Court's Order. *See* Dkt. No. 9. The deadline for Defendant to file its response to the Complaint elapsed and, as of the date of this Order, Defendant has not filed any response to the Complaint or appeared in this action.

It is ORDERED that if Defendant does not respond to the Complaint or appear by **June 30, 2025**, then by **July 14, 2025**, Plaintiff must file any motion for default judgment in accordance with the Court's Individual Rules & Practices. If Plaintiff's counsel submits calculations in support of any motion for default judgment, Plaintiff's counsel shall also email native versions of the files with the calculations (*i.e.*, versions of the files in their original format, such as in ".xlsx") to Chambers at [GarnettNYSDChambers@nysd.uscourts.gov](mailto:GarnettNYSDChambers@nysd.uscourts.gov). In the event Plaintiff files a motion for default judgment, Plaintiff shall serve the motion papers on Defendant by **July 16, 2025**, and shall file proof of such service by **July 18, 2025**. Plaintiff is advised that if he does not file a motion for default judgment by July 14, 2025, or timely request an extension of that date, the Court may require the Plaintiff to show cause why this action should not be dismissed for failure to prosecute.

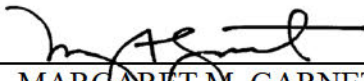
It is further ORDERED that Defendant shall file any opposition to any motion for default judgment by **August 4, 2025**.

Plaintiff shall serve a copy of this Order on Defendant by first-class mail and/or by in-person service **within two business days from the date of this Order**, and shall file proof of such service **within three business days of the date of this Order**.

If this case has been settled or otherwise terminated, Plaintiff is not required to move for default, provided that a stipulation of discontinuance, voluntary dismissal or other proof of termination is filed on the docket prior to July 14, 2025, using the appropriate ECF Filing Event. See SDNY ECF Rules & Instructions §§ 13.17-13.19 & App'x A, *available at* <https://www.nysd.uscourts.gov/electronic-case-filing>.

Dated: June 6, 2025  
New York, New York

SO ORDERED.



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MARGARET M. GARNETT  
United States District Judge